

REMARKS

After entry of this amendment, claims 1-20 are pending in the application. Claims 1, 4, 11, 13-14, and 18 have been amended to more particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 19 and 20 have been added in this amendment. Reconsideration of the application as amended is requested.

In the Office Action dated March 17, 2004, the Examiner rejected claims 4, 11, and 13 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 4, 11, and 13 have been carefully reviewed and amended to address the problems pointed out by the Examiner. It is submitted that these amendments traverse and overcome the Examiner's rejection. Reconsideration of the Examiner's rejection of claims 4, 11, and 13 is requested.

Claims 1-4, 6-7, 11-14, and 16-17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Smithers (U.S. Patent No. 3,088,155). It is submitted that claim 1 has been amended to more particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, claim 1 now recites that an upper side of the wiper blade body has at least one airfoil surface acting as an extension of at least one airfoil surface formed on an upper side of the profiled cover. It is submitted that this specific structural configuration has support in the specification as originally filed, in particular, see the cross-section of Figure 1 and the description of that figure in the original specification. The Smithers reference does not anticipate, teach or suggest the wiper blade as now set forth in claims 1-4, 6-7, 11-14, and 16-17. In particular, the upper side or bead 18 of the wiper blade body or rubber 12 as best seen in Figure 2 of Smithers is completely enclosed within the shroud 10, and therefore does not include at least one airfoil surface on the blade body wiper acting as an extension of at least one airfoil surface formed on an upper side of the profiled cover as recited in the amended claims. Reconsideration of the Examiner's rejections is requested.

Claims 1-3, 5-8 and 14-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Anderson (U.S. Patent No. 3,372,422). It is submitted that claim 1 has been amended to more particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, claim 1 now recites that an upper side of the wiper blade body has at least one airfoil surface acting as an extension of at least one airfoil surface formed on an upper side of the profiled cover. The Anderson reference does not anticipate, teach or suggest the specific structural

configuration as now recited in the amended claims 1-3, 5-8, and 14-15. In particular, the Anderson reference as best seen in the cutaway portion in the right hand side of Figure 4 discloses that the pair of slanted surfaces (noted by the Examiner in Figure 5) of the attaching portion 6 of the wiper head portion 5 is enclosed within the fastening means 14 (i.e., the upper surface of the fastening means 14 is positioned completely above the upper surface of the attaching portion 6 of the wiping element 3).

Therefore, the Anderson reference does not anticipate, teach or suggest that the upper side of the wiper blade body has at least one airfoil surface acting as an extension of at least one airfoil surface formed on an upper side of a profiled cover. Reconsideration of the Examiner's rejection is requested.

Claims 9 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Smithers in view of French Patent No. 27 479 977. The Examiner asserts that it would have been obvious to one of skill in the art to provide the cover of Smithers with a fluid passage which is coupled with a fluid source as clearly suggested by the French patent to enable wetting of the windshield, to enhance cleaning thereof. It is submitted that the combination of the French patent with Smithers, does not overcome the deficiencies of the Smithers reference discussed in greater detail above. In particular, the Smithers reference does not anticipate, teach or suggest an upper side of the wiper blade body having at least one airfoil surface acting as an extension of at least one airfoil surface formed on an upper side of a profiled cover. The addition of the French patent does not overcome this deficiency. The French patent illustrates an airfoil surface 16 which is completely separate and independent from the upper portion of the rubber wiping element 18. Therefore, the combination of references asserted by the Examiner does not anticipate, teach or suggest the invention as now recited in claims 9 and 10. Reconsideration of the Examiner's rejection is requested.

Claims 19 and 20 have been added in this amendment. It is submitted that claims 19 and 20 patentably define over the prior art of record. In particular, none of the cited references taken singularly or in any permissible combination anticipate, teach or suggest at least one profiled cover fitting closely against an adjacent longitudinal side of a wiper blade body, such that a combination of upper surfaces of the at least one profiled cover and the wiper blade body define at least one continuous airfoil surface contour. The Examiner's consideration of new claims 19 and 20 is requested.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as

Application Serial No. 10/030,896
Date June 17, 2004
Reply to Office Action dated March 17, 2004

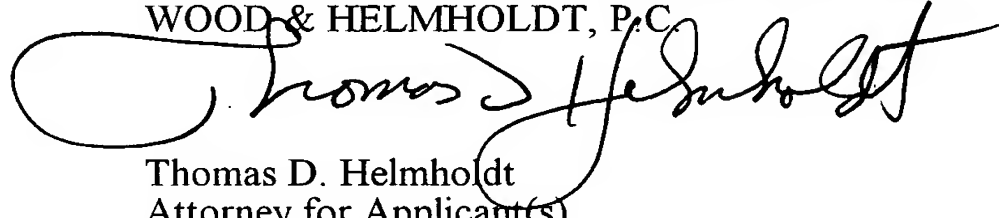
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originally filed. It is further submitted that this Amendment has antecedent basis in the application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places the application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Thomas D. Helmholdt", is written over the printed name and firm name.

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Dated: June 17, 2004
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